



***Substitute Senate Bill No. 394***

***Public Act No. 10-140***

***AN ACT CONCERNING THE INSPECTION OF LAND FOR USE AS  
AN ASH RESIDUE FACILITY BY CERTAIN STATE QUASI-PUBLIC  
AGENCIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding the provisions of section 22a-208d of the general statutes, prior to the physical inspection or evaluation of any parcel of land for use as a disposal area for ash residue generated by a waste-to-energy facility, operated by a state quasi-public agency, such waste-to-energy facility shall obtain a written determination from the Commissioner of Environmental Protection that such disposal area is necessary to meet the solid waste disposal needs of the state and will not result in substantial excess capacity of disposal areas.

(b) (1) Any waste-to-energy facility that seeks a written determination from the commissioner pursuant to subsection (a) of this section shall submit such information as the commissioner deems necessary, including, but not limited to, (A) the name of the resources recovery facilities or municipalities to be served by the disposal area; (B) the transportation system needed to serve the disposal area; and (C) the available capacity of other disposal areas for ash residue or mixed municipal solid waste in the state that have obtained all

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necessary permits to construct.

(2) In making the determination required under this section, the commissioner shall consider the information submitted pursuant to subdivision (1) of this subsection and any other information the commissioner deems pertinent.